



Order Filed on November 8, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey


UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
JENKINS & CLAYMAN Eric J Clayman, Esquire 412 White Horse Pike Audubon, NJ 08106 (856) 546-9696 Attorneys for the Debtor	
In Re:	
Lamont Williams, debtor	

Case No.:	<u>17-35377</u>
Chapter:	<u>13</u>
Hearing Date:	<u>2/27/18-9/12/18</u>
Judge:	<u>ABA</u>

ORDER GRANTING SUPPLEMENTAL CHAPTER 13 FEES

The relief set forth on the following pages, number two (2) through two (2) is hereby
ORDERED.

DATED: November 8, 2018



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

The application having certified that legal work supplemental to basic Chapter 13 services has been rendered, and no objections having been raised, it is:

ORDERED that Jenkins & Clayman, the application, is allowed a fee of \$2,463.00 and expenses of \$17.25 for services rendered. The allowance shall be payable:

~~_____~~ ~~Through the Chapter 13 plan~~ Outside the plan as an administrative priority.

X From funds the chapter 13 Trustee is holding up to the extent of this allowance (includes unpaid standard fee in the amount of \$2,825.00 per dismissal order).

17-35377-ABA

IT IS FURTHER ORDERED that the Supplemental Chapter 13 Fees are reduced for the following reason(s):

☒ Counsel previously advised that the court will not allow billing at highest hourly rate of \$395 for administrative tasks that can be performed by staff or at a lesser rate. This fee app still includes fees for administrative tasks at highest hourly rate. No more than \$200 will be allowed for fee application preparation. Time charged is more than \$200.

☐ The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows for Additional court appearances - Not to exceed three.

☐ The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$300 for filing and appearance on a modified Chapter 13 Plan, not \$300 for each action.

☐ The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$400 for filing and appearance on a Defense of Motion on behalf of debtor.

☐ The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$100 for Preparation and filing of Amendments to Schedules or List of Creditors, not \$100 each.

☐ The Court's Mandatory Local Form Certification Of Debtor's Counsel Supporting Supplemental Chapter 13 Fee allows \$100 for preparation and filing of other amended schedules such as Schedules I and J, not for \$100.00 each.

☐ Excess/unnecessary appearances could have been avoided through proper adjournment requests.

☐ Travel time must be charged at ½ rate. *In re DeMarco*, No. BR 14-28245-ABA, 2016 WL 899915, at *1 (Bankr. D.N.J. Feb. 9, 2016) citing *In re McDermott*, No. 05-17387(DHS), 2009 WL 2905375, at *8 (Bankr.D.N.J. Aug. 24, 2009).

☒ Failure to exercise billing judgment/review. *In re DeMarco*, No. BR 14-28245-ABA, 2016 WL 899915, at *2 (Bankr. D.N.J. Feb. 9, 2016). *See also, In re Maxine's, Inc.*, 304 B.R. 245 (Bankr.D.Md.2003).

☐ The court customary allows the use of a Detail of Non-standard Services for loss mitigation and will allow \$_____ for loss mitigation efforts. Remaining items (highlighted) should be within scope of representation however R. 2016 statement of services contains no information and/or fee agreement not provided so there is no support for allowance of request. Even then, it would have to be on proper fee application since fee request does not fall within standard supplemental fee requests.

Certificate of Notice Page 4 of 4
 United States Bankruptcy Court
 District of New Jersey

In re:
 Lamont N. Williams
 Debtor

Case No. 17-35377-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Nov 08, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 10, 2018.

db +Lamont N. Williams, 9 Old Farm Road, Sicklerville, NJ 08081-3518

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 10, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 8, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor First Guaranty Mortgage Corporation
 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Eric Clayman on behalf of Debtor Lamont N. Williams jenkins.clayman@verizon.net,
 connor@jenkinsclayman.com
 Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com,
 summarymail@standingtrustee.com
 Jeffrey E. Jenkins on behalf of Debtor Lamont N. Williams jenkins.clayman@verizon.net,
 connor@jenkinsclayman.com
 Nicholas V. Rogers on behalf of Creditor NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY
 nj.bkecf@fedpne.com
 Nicholas V. Rogers on behalf of Creditor CENLAR FSB AS SERVICER FOR NEW JERSEY HOUSING AND
 MORTGAGE FINANCE AGENCY nj.bkecf@fedpne.com
 Rebecca Ann Solarz on behalf of Creditor First Guaranty Mortgage Corporation
 rsolarz@kmlawgroup.com
 Robert P. Saltzman on behalf of Creditor First Guaranty Mortgage Corporation c/o Rushmore
 Loan Management Services dnj@pblaw.org
 Stephanie F. Ritigstein on behalf of Debtor Lamont N. Williams jenkins.clayman@verizon.net,
 connor@jenkinsclayman.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11